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In re Application of: PEIN, Andreas :

U.S. Application No.: 10/523,294 :

Int'l Filing Date: 10 July 2003 :

Priority Date: 12 July 2002 :

Attorney's Docket No.: 102134-20 :

For: SURGICAL DEVICE FOR REMOVING :
TISSUE CELLS FROM A BIOLOGICAL :
STRUCTURE :

DECISION ON PETITION
UNDER 37 CFR 1.137(b)

The petition to revive under 37 CFR 1.137(b) filed 03 February 2005 in the above-captioned application is hereby **GRANTED** as follows:

Applicant's statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirement of 37 CFR 1.137(b)(3).

Applicant has now submitted the basic national fee, and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application is granted as to the United States of America.

The 03 February 2005 submission included a translation of the international application into English.

This application is being returned to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision, including the mailing of a Notification Of Missing Requirements (Form PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497, the surcharge for filing the oath or declaration later than thirty months after the priority date, and the processing fee for filing the English translation later than thirty months after the priority date.

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